

United Nations
Department of Peacekeeping Operations
Department of Field Support
Ref. 2015.17



Policy

DPKO/DFS

National Support Element

Approved by: Herve Ladsous, USG/DPKO
Atul Khare, USG/DFS
Effective date: 1 November 2015
Contact: *Policy & Doctrine Team OMA/DPKO*
Review date: 30 November 2020

**DPKO/DFS POLICY ON
National Support Element (NSE)**

Contents:	A. Purpose
	B. Scope
	C. Rationale
	D. Policy
	E. Terms and Definitions
	F. References
	G. Monitoring and Compliance
	H. Contact
	I. History

A. PURPOSE

1. This policy clarifies and consolidates existing guidance regarding the participation of National Support Elements (NSEs) in United Nations (UN) peacekeeping operations. Based on policies, procedures and guidelines already in place, this policy is consistent with the process of planning, generating and deploying forces for UN peacekeeping operations. Any decision to include the additional resources contained in NSEs has important political, legal, administrative, financial and operational consequences that are addressed in this policy.

B. SCOPE

2. This policy applies to the UN Department of Peacekeeping Operations (DPKO), Department of Field Support (DFS) and all UN peacekeeping missions. This policy does not modify any legal obligations or commitments that may exist between the UN and Member States as specified in the Memorandum of Understanding (MOU) regarding troop or police contributions. Moreover, this policy does not modify the UN Concept of Operations (CONOPS) for any peacekeeping mission.

C. RATIONALE

3. Troop and Police Contributing Countries (TCC/PCC) may decide to deploy NSEs to provide their deployed contingents administrative and logistical services with national standards of support that may exceed or differ from the stated UN requirement. The additional personnel would be on top that normally envisaged in the Statement of Unit/Force Requirement for the specific field mission.

D. POLICY

D.1 Principles

4. The deployment of additional personnel or equipment for national purposes, designated as NSE, should be projected in the Mission Force Requirement as soon as possible during the initial planning process and subject to the UN DPKO and DFS Under-

UNCLASSIFIED

Secretaries- General (USG) approval. As NSEs are of national, not UN, requirements, NSE strength is not considered part of the overall Force strength, mandated by the UN Security Council (SC).

5. Military Contingent and FPU within a UN peacekeeping mission are always under the Mission's unified UN chain of command. NSE personnel and equipment that are augmenting a national contingent, and are agreed under the applicable MOU between the UN and Member State, shall perform only national administrative and logistical functions and shall not be engaged in SC mandated tasks.

6. All requirements to support operational capabilities, including the health and well-being of national military and police contingents, should be within the authorized strength of the formed units of each contingent and covered in the MOU between the UN and the Member State. These strength authorizations and capabilities are reviewed under the principles of unity of treatment and command and control (C2) for different national contingents within a UN Mission¹. When a Member State deems it appropriate to deploy a NSE to meet national administrative and/or logistical requirements beyond the initially determined UN level of necessity, the UN, and Member States involved shall engage in the required consultations to reach agreed modalities subject to the approval of the USG, DPKO and DFS. Any agreements should be reflected by amending the relevant MOU.

7. When the NSE is deployed in a Peacekeeping Mission, the Mission shall use existing mechanisms to monitor NSE provision of logistical and administrative support to their national contingents, in order to avoid Mission funds duplicating or replacing internal contingent provisions. In principal, NSE equipment should be subject to an "Arrival" and "Repatriation", inspection. Periodic inspections may be required in coordination with the National Contingent Commander (NCC).

D.2 Criteria for Approval of NSE

8. NSEs may receive UN deployment approval subject to the following criteria:

a. Tasks performed by the NSE must be for the benefit of the respective Member State and its deployed personnel, and restricted to those tasks described in paragraph D.3 below.

b. The total personnel strength of the NSE will be specified in the applicable MOU between the UN and Member State. In principal, administrative and logistical functions are performed by the organic elements of the contingent. Consequently the NSE strength shall be reasonably proportionate to the strength of the contingent or Formed Police Unit concerned. The NSE strength should not exceed 50 personnel without strong justification by the Member State, and approval by the USG, DPKO and DFS.

c. As stipulated in the applicable MOU, Member States generating NSEs are required to assume all costs associated with NSE deployment and operation.

¹ See the "Authority, Command and Control in the United Nations Peacekeeping Operations"/DPKO/DFS / Feb 2008 and "Welfare and Recreation"/DPKO/30 April 2007.

d. The UN policy on human rights screening of personnel applies to the selection, appointment, recruitment, contracting and deployment of NSE personnel. See the UN Policy on Human Rights Screening of United Nations Personnel, 2012.

D.3 Functions

9. Tasks that a Member State may require an NSE to perform include:
- a. Installing, operating and maintaining rear link communications between the Member State and its contingent/NSE.
 - b. Managing travel arrangements for deployment, repatriation, rotation, leave and other national movement requirements.
 - c. Monitoring Contingent Owned Equipment (COE) and Self-Sustainment records, including reimbursement, COE replacement, COE surveys and verification reports.
 - d. Providing postal services.
 - e. Providing pay services including currency exchange.
 - f. Managing national visits approved by the Mission and UN Headquarters to the Mission area.
 - g. Coordinating national logistics support, including more advanced levels of COE maintenance and management of reserve stock.
 - h. Providing other national administrative support, including disciplinary actions and records.
 - i. Providing welfare support.
 - j. Providing other tasks falling within the definition of an NSE as stated above and as agreed to and approved by UN Headquarters.

D.4 Substantive Areas

Legal Status

10. NSEs are considered part of the Member State's military contingent or Formed Police Unit. NSE members enjoy the same legal status, privileges and immunities as other members of the military contingent or Formed Police Unit serving in a particular UN peacekeeping operation, as provided in the relevant Status of Forces Agreement (SOFA) and Member State MOU.

11. Like other members of the military contingent, NSE military personnel are subject to their respective government's exclusive jurisdiction with regard to crimes or offences they may commit while assigned to a UN Mission².

² See the COE Manual A/C.5/66/8/27, October 2011.

UNCLASSIFIED

12. Like their Formed Police Unit counterparts, NSE police personnel enjoy the same privileges and immunities accorded to UN Experts on Mission. NSE personnel shall be subject to the rules and regulations as outlined in the Secretary's Bulletin ST/SGB/2002/9.

13. NSEs are expected to adhere to all relevant UN-system-wide policies, as well as specific UN peacekeeping guidance approved by DPKO and DFS, similar to their counterparts in the military contingents or FPU.

Command and Control

14. In accordance with the MoU governing the contingent (and NSE deployment as part of it), the National Contingent Commander of the military contingent or Formed Police Unit is vested with the necessary authority to take all reasonable measures to maintain discipline and good order amongst members of the NSE, to ensure compliance with UN standards of conduct, Mission-specific rules and regulations, and obligations under national and local laws and regulations in accordance with the SOFA and Status of Mission Agreement (SOMA).

15. The NCC will regularly inform the Force Commander or Police Commissioner/Senior Police Advisor of any matters involving the good order and discipline of NSE members, including any disciplinary action taken for violations of UN standards of conduct or Mission-specific rules and regulations, or for failure to respect local laws and regulations.

16. The Contributing Member State retains "administrative control"³ over deployed NSE military/police personnel. Administrative control is exercised by the National Contingent Commander of a contributed military/police contingent within a mission area.

Investigations

17. The Troop Contributing Member States have primary responsibility for investigating misconduct or serious misconduct, including possible crimes committed by members of their military contingents and related NSE. Under the applicable Troop Contributing Country (TCC) MOU, the United Nations may however initiate an administrative investigation of alleged serious misconduct of military contingents and related NSE, in case the Government of the Contributing State fails to timely initiate its own investigation of the alleged incident following due notification by the United Nations. For members of formed police units and related NSE, the United Nations will conduct administrative investigations in instances of misconduct or serious misconduct, consistent with the applicable Police Contributing Country (PCC) MOU. The administrative investigations conducted by the United Nations are without prejudice to the right of the Contributing Member State or the right of the Host Country to investigate possible crimes committed by members of formed police units and related NSE.

Support and Reimbursement

18. The UN does not reimburse Member States for personnel and equipment deployed as NSE. There will be no payment for troop or police costs, rotation, major equipment or

³ As per UN Policy "Authority, Command and Control in the United Nations Peacekeeping Operations"/DPKO/DFS/Feb 2008, Administrative Control is the authority over subordinate or other organizations within national contingents for administrative matters such as personnel management, supply, services and other non-operational missions of the subordinate or other organizations. Administrative Control is a national responsibility given to the National Contingent Commander (NCC) in peacekeeping operations.

self-sustainment and the UN bears no other financial obligation or responsibility in connection to NSE personnel and equipment⁴.

19. Field missions will keep records of costs incurred for support to NSE personnel, such as accommodations, rations, fuel and insurance for NSE vehicles, electricity for NSE infrastructure, etc, and submit the appropriate documentation to MOU & Claims Management Section/Field Budget and Finance Division/Department of Field Support. These costs will be recovered from the Contingent Owned Equipment reimbursements due to the concerned Troop/Police Contributing Countries on a quarterly basis. Claims for the cost of any UN support or services provided to an NSE will be submitted by the UN to the appropriate Member State.

Uniform Standards and Arms

20. NSE personnel are regarded as members of a UN peacekeeping contingent and are authorized to wear UN head gear and accoutrements, as appropriate. In addition, they should wear NSE accoutrements for segregation purposes. All NSE vehicles are authorized to bear UN colors and markings.

21. NSE personnel are authorized to carry a firearm for personal protection and self-defence. The UN Mission's "Military Rules of Engagement" and "Police Use of Force Directives" only apply to NSE personnel insofar as they relate to self-defense.

UN Medal Award

22. The award of UN medals to NSE personnel is subject to the relevant UN Medal Award policy "*Regulations for the United Nations Medal*" (ST/SGB/119/Rev.1, 16 Feb 1966). According to the policy, the UN Medal should be awarded to personnel under operational or tactical control of the United Nations. Although normally this would mean the exclusion of NSE personnel, the policy does allow the eligibility for exceptional reasons (as approved by the Secretary-General) where the circumstances so warrant.

E. TERMS AND DEFINITIONS

23. The National Support Element (NSE) includes personnel and equipment in addition to those envisaged by the UN in the Statement of Unit or Force Requirement for the specific field mission. These are to support their National Military Contingent or Formed Police Unit (FPU) on administrative and logistical services.

F. REFERENCES

"Generic guidelines for troop contributing countries deploying military units to the United Nations peacekeeping missions"/DPKO/FGS/2008

"Manual on Policies and Procedures Concerning the Reimbursement and Control of Contingent-Owned Equipment of Troop/Police Contributors Participating in Peacekeeping Missions (COE Manual)"/A/C.5/66/8/27 Oct 2011

Policy on Human Rights Screening of United Nations Personnel (2012)

⁴ See the *COE Manual*, A/C.5/69/18, January 2015, Model MOU chapter 9 Annex A.

UNCLASSIFIED

"Authority, Command and Control in the United Nations Peacekeeping Operations"/DPKO/DFS/Feb 2008.

"Regulations for the United Nations Medal"(ST/SGB/119/Rev.1, 16 Feb 1966)

"Welfare and Recreation"/DPKO/30 April 2007

G. MONITORING AND COMPLIANCE

24. The present policy applies to DFS and DPKO as well as to peacekeeping missions. At the UNHQ, the Field Budget and Finance and the Logistic Support Divisions in DFS and the Office of Military Affairs (OMA) and the Office of the Police Adviser in DPKO are responsible for the implementation and monitoring of this policy in their respective area of responsibility.

25. At the UN Mission level, the Mission's Chief of Staff, on behalf of the Head of Mission (HOM), shall be responsible for monitoring the Mission's implementation of this policy, providing an oversight of the deployments of NSEs and making appropriate recommendations to the HOM. The Director of Mission Support (DMS)/Chief of Mission Support (CMS) and the Heads of the Military and Police Components, in consultation with the relevant DFS and DPKO offices, are responsible for ensuring the implementation, monitoring and compliance of all issues related to NSEs in the mission.


H. CONTACT

The sponsor of this policy is the DPKO/OMA Policy and Doctrine Team (PDT).

I. HISTORY

This is a new policy that consolidates existing guidelines and policies.

APPROVAL SIGNATURE:




Herve Ladsous
USG, DPKO

DATE OF APPROVAL:

30/12/2015

APPROVAL SIGNATURE:



Atul Khare
USG, DFS

DATE OF APPROVAL:

DEC 30 2015